



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/734,040

12/12/2000

Harri Tapani Vilander

2380-198

3501

23117

7590

08/24/2006

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER

BARQADLE, YASIN M

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/734,040	<b>Applicant(s)</b> VILANDER ET AL.	
	<b>Examiner</b> Yasin M. Barqadle	<b>Art Unit</b> 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 41-47, 49-50 and 56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **Response to Amendment**

1. The amendment filed on May 19, 2006 has been fully considered but are not deemed persuasive.

- Claims 1-40, 48, 51-55 and 57-58 have been canceled.
- Claims 41-47, 49-50 and 56 are presented for examination.

### **Response to Arguments**

2. In response to Applicant's arguments that "Subbiah does not use the claimed protocols in Lieu of ATM, but rather multiplexed plural ATM-type mini packets into his protocol. (See, e.g., col. 3, lines 33-30). That Subbiah's mini packets are ATM-like (if not ATM per se). Examiner notes the section in col.3; lines 30+ referred by the applicant do not mention ATM or ATM-type packets. The section talks about a "plurality of multiplexed mini packets, each mini packet having a header, wherein the header identifies a user and a connection associated therewith, demultiplexing the mini packets, analyzing the header of each mini packet to determine a processing for the mini packet and multiplexing packets having a common next hop in a new RTP payload." Subbiah teaches using signaling method that is similar to ATM "The signaling according to the present invention is

Art Unit: 2153

similar to the signaling used in ATM, PSTN and IP telephony gateway networks".

Applicant also argues about the feature in claim 48 concerning SSRC identifier allocations to CS connections. Examiner notes that SSRC identifier is an inherent feature of RTP.

Additionally, Subbiah teaches, "The present invention provides a signaling scheme that establishes a connection between the source and destination node, wherein channels at each intermediate node are associated for a single end-to-end connection. This enables demultiplexing and multiplexing mini packets at intermediate nodes in a RAN and CN." Col. 3, lines 26-32. In this way and end-to-end connections between the nodes in a RAN and CN is established.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 41-47, 49-50 and 56 are rejected under 35 U.S.C. 102(e) as being anticipated by Subbiah et al USPN (6366961).

As per 41, 47 and 50, Subbiah et al teach a telecommunications system having a protocol architecture over an interface between nodes of the telecommunications system (Fig. 1), wherein a protocol stack of the protocol architecture in the transport network layer comprises:

the link layer protocol; the Internet Protocol on top of the link layer protocol; UDP Protocol on top of the Internet Protocol, RTP protocol on top of the UDP protocol [See fig. 4]; and

wherein the Internet Protocol, the UDP Protocol, and the

Art Unit: 2153

RTP protocol are utilized in lieu of Asynchronous Transfer Mode (ATM) and ATM adaptation layer 2 (AAL2) "ATM Adaptation layer 2 (AAL2), a multiplexing scheme at the ATM cell level, has been standardized by the International Telecommunications Union-Telecommunications Standardization Sector (ITU-T) to carry compressed speech in an ATM environment. The main problem in transporting the small packets in a regular RTP based IP telephony model is the large amount of overhead due to RTP/UDP/IP headers col. 1, lines 51- to col. 2, lines 5) and see col. 45-67 and col. 6, lines 47-61), Subbiah suggests and uses an improved method of using RTP/UDP/IP instead of ATM and Aal2), wherein the interfaces is between a radio network and a core network, and carries circuit switched connections (see figs 1 and 5); and wherein in the RTP Protocol one synchronization source (SSRC) identifier is allocated to each circuit switched connection between the node in the radio access network and the node in the core network ["The present invention provides a signaling scheme that establishes a connection between the source and destination node, wherein channels at each intermediate node are associated for a single end-to-end connection. This enables demultiplexing and multiplexing mini packets at intermediate nodes in a RAN and CN." Col. 3, lines

Art Unit: 2153

26-32 and Figs. 1, 5 and 7. See col. 5, lines 5-45].

As per claim 42, Subbiah et al teach the system of claim 41, wherein the Internet Protocol is immediately above the link layer protocol in the transport network layer [see Fig. 4 and col. 6, lines 47-61].

As per claim 43, Subbiah et al teach the system of claim 1, wherein the interface carries a circuit switched connection (see Fig. 1 and 5).

As per claim 44, Subbiah et al teach the system wherein the link layer protocol is Ethernet protocol [col. 7, lines 20-30 local user in a LAN user Ethernet).

As per claim 45, Subbiah et al teach the system of claim 4, wherein in the Internet Protocol a sequence number is carried in one of an IP option field and a Ipv6 extension header, the sequence number being used for rearranging incoming IP datagrams [see Fig. 3 and col. 5, lines 59 to col. 6 line 31].

As per claim 46, Subbiah et al teach the system of claim 3, wherein the protocol stack of the protocol architecture further

Art Unit: 2153

comprises, in a radio network layer, a frame handling protocol on top of the UDP Protocol (see fig. 4 and 5)

As per claim 49, Subbiah teaches the system of claim 14, wherein the RTP Protocol compresses plural RTP packets in an IP datagram [see Fig. 2 and 7; col. 5, lines 5-45].

As to claim 56, this is a method claims with similar limitations as claim 41 and 47 above. Therefore, it is rejected with the same rationale. Subbiah further teaches using UDP port number of the UDP protocol as connection identifier (see fig. 7).

### Conclusion

4. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will



Art Unit: 2153

expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

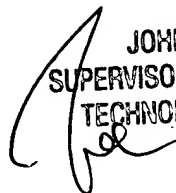
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may

Art Unit: 2153

be obtained from either private PAIR or public PAIR system. Status information for unpublished applications is available through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

 **JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100**